

## **IC 33-37-6**

### **Chapter 6. Credit Card Service Fee**

#### **IC 33-37-6-1**

##### **Application**

Sec. 1. This chapter applies to any transaction in which:

- (1) the clerk is required to collect money from a person, including:
  - (A) bail;
  - (B) a fine;
  - (C) a civil penalty;
  - (D) a court fee, court cost, or user fee imposed by the court;or
- (E) a fee for the preparation, duplication, or transmission of a document; and
- (2) the person pays the clerk by means of a credit card, debit card, charge card, or similar method.

*As added by P.L.98-2004, SEC.16.*

#### **IC 33-37-6-2**

##### **Discharge of debt liability; vendor transaction charge or discount fee**

Sec. 2. (a) A payment made under this chapter does not finally discharge the person's liability, and the person has not paid the liability until the clerk receives payment or credit from the institution responsible for making the payment or credit.

(b) The clerk may contract with a bank or credit card vendor for acceptance of bank or credit cards. However, if there is a vendor transaction charge or discount fee, whether billed to the clerk or charged directly to the clerk's account, the clerk shall collect a credit card service fee equal to the vendor transaction charge or discount fee from the person using the bank or credit card. The fee collected under this section is a permitted additional charge to the money the clerk is required to collect under section 1(1) of this chapter.

*As added by P.L.98-2004, SEC.16. Amended by P.L.65-2004, SEC.16.*

#### **IC 33-37-6-3**

##### **Use of credit card service fee**

Sec. 3. (a) The clerk shall forward credit card service fees collected under section 2 of this chapter to the county auditor or the city or town fiscal officer in accordance with IC 33-37-7-12(a).

(b) Funds described in subsection (a) may be used without appropriation to pay the transaction charge or discount fee charged by the bank or credit card vendor.

*As added by P.L.98-2004, SEC.16.*